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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**
19

20 IN RE: UBER TECHNOLOGIES, INC.,
21 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**STIPULATION AND [PROPOSED] ORDER
REGARDING ENLARGEMENT OF PAGE
LIMITS FOR MOTIONS TO DISMISS**

22 This Document Relates to:

23 ALL ACTIONS
24

Judge: Hon. Charles R. Breyer

Courtroom: 6 – 17th Floor

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15 *Co-Lead Counsel for Plaintiffs*
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STIPULATION

WHEREAS, on December 28, 2023, the Court issued an order regarding discovery and initial motions. Pretrial Order No. 5, ECF 175;

WHEREAS, the Court ordered Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively “Uber”) to “file any answers or Rule 12 motions to dismiss the Master Long-Form Complaint, in whole or in part, in some or all of the actions in this” by April 1, 2024. Id. at 5. The Court further ordered Plaintiffs to file their oppositions to any such motion by May 22, 2024, and Uber to file any replies in support of such motion by June 19, 2024. Id.;

WHEREAS, the Court ordered that the Rule 12 Motions due April 1, 2024 would be “Initial Motions” and Uber would not be precluded from filing “additional Rule 12 or other dispositive motions following the Court’s ruling on . . . the Rule 12 Motions or at any other time permitted by the Court.” Id. at 5-6.

WHEREAS, Uber currently anticipates filing five (5) motions to dismiss for failure to state a claim on April 1, 2024 (“Initial Rule 12 Motions”). Each motion will seek dismissal of claims based on incidents that allegedly occurred in one state pursuant to the law of that state.

WHEREAS, Uber respectfully asserts that the analysis required for Uber’s Initial Rule 12 Motions in response to the Master Long-Form Complaint, which asserts eight separate claims for relief—including some claims asserted under multiple theories of liability—cannot adequately be set forth within the 15-page limit provided by the Court’s General Standing Order for Civil and Criminal Cases.

WHEREAS, the parties anticipate that the briefing and resolution of Uber’s Initial Rule 12 Motions may inform the nature and scope of any future Rule 12 or other dispositive motions in this action, and thorough briefing of Uber’s Initial Rule 12 Motions may therefore facilitate more efficient briefing and resolution of any future Rule 12 or other dispositive motions.

WHEREAS, Uber requests that it be granted an additional 30 pages for each of its Initial Rule 12 Motions, for a total page limit of 45 pages for each motion.

WHEREAS, Plaintiffs consent to Uber’s request, and further request a reciprocal extension of the page limit for any opposition briefs, extending the limit for each opposition brief to a total

1 of 45 pages. The current deadline for Plaintiffs' opposition briefs is May 22, 2024, but Plaintiffs
2 will evaluate Uber's Initial Rule 12 Motions when they are filed and then propose a new deadline.

3 **WHEREAS**, Uber requests that it be granted 20 pages for each of its replies in support of
4 its Initial Rule 12 Motions.

5 **WHEREAS**, in view of the above, the parties agree to an additional 30 pages for each of
6 Uber's Initial Rule 12 Motions and each of Plaintiffs' opposition briefs (not to exceed 45 pages),
7 and 20 pages for each of Uber's replies in support of its Initial Rule 12 Motions.

8 **THEREFORE**, the parties respectfully request the Court enter the parties' stipulation that:

- 9 1. Uber shall be granted up to 45 pages for each of its five (5) Initial Rule 12 Motions;
- 10 2. Plaintiffs shall be granted up to 45 pages for any Opposition to the Initial Rule 12
11 Motions; and
- 12 3. Uber shall be granted 20 pages for each of its replies in support of its Initial Rule 12
13 Motions.

14
15 **IT IS SO STIPULATED.**

16
17 Dated: March 21, 2024

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

18 By: /s/ Randall S. Luskey

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25 *Attorneys for Defendants*
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27 RASIER, LLC, and RASIER-CA, LLC
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1 Dated: March 21, 2024

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FILER'S ATTESTATION

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: March 21, 2024

By: /s/ Randall S. Luksey
Randall S. Luskey

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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
10

11 IN RE: UBER TECHNOLOGIES, INC.,
12 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**[PROPOSED] ORDER GRANTING
STIPULATION REGARDING
ENLARGEMENT OF PAGE LIMITS FOR
MOTIONS TO DISMISS**

13 This Document Relates to:
14 ALL ACTIONS
15

16
17 The Court hereby GRANTS the parties' stipulation as follows:

- 18 1. Uber shall be granted up to 45 pages for each of its five (5) Initial Rule 12 Motions;
19 2. Plaintiffs shall be granted up to 45 pages for any Opposition to the Initial Rule 12
20 Motions; and
21 3. Uber shall be granted 20 pages for each of its replies in support of its Initial Rule 12
22 Motions.

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
24

25 Date: _____, 2024

26 HON. CHARLES R. BREYER
27 UNITED STATES DISTRICT JUDGE
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